

### REMARKS

Claims 1-7 and 10-13 are pending in the present application.

Claims 10-13 are currently withdrawn.

Claims 1 and 10 are amended to cancel the "heteroaromatic ring" from the limitations of R<sup>8</sup> and R<sup>9</sup>.

#### Claim Rejections - 35 USC § 102

Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Sumioka et al. (US 2003/0072923).

Claim 1 has been amended to delete the "heteroaromatic ring" from the limitations of R<sup>8</sup> and R<sup>9</sup>.

Sumioka et al. fails to recite the compound of Formula I and therefore fails to recite the compound of claims 2-7 depending therefrom.

The rejection of claims 1-7 under 35 U.S.C. 102(e) as being anticipated by Sumioka et al. is overcome by amendment.

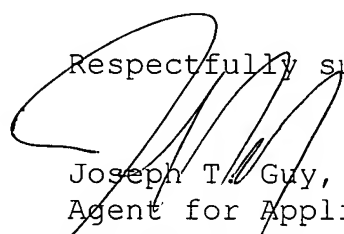
### Withdrawn Claims

Claims 10-13 are currently withdrawn as being directed to a non-elected species. In the event that the rejection based on Sumioka et al. is withdrawn Applicants request a search and examination of claims 10-13 on the merits.

### **CONCLUSIONS**

Claims 1-7 and 10-13 are pending in the present application. All claims are believed to be in condition for allowance. Notice thereof is respectfully requested.

Respectfully submitted,



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